



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 14, 2006

By Federal Express

Angelo G. MacDonald, Esq.
Pappalardo & Pappalardo, LLP
700 White Plains Road, Suite 355
Scarsdale, NY 10583

Lawrence S. Goldman, Esq.
500 5th Avenue
New York, NY 10110

**Re: United States v. Liscio and Cordasco
06 Cr. 1089 (BSJ)**

Dear Counsel:

This letter provides initial discovery pursuant to Rule 16(a) of the Federal Rules of Criminal Procedure ("Fed. R. Crim. P."), and seeks reciprocal discovery.

Disclosure by the Government

I am enclosing copies of the following materials:

1. A copy of the complaint (1-10);
2. A copy of the indictment (11-14);
3. An FBI memo of interview of Liscio dated 6/28/05 (15-16);
4. An FBI memo of interview of Cordasco dated 8/9/06 (17-18) (produced to Cordasco only);
5. Criminal record of Cordasco (produced to Cordasco only) (19-22);
6. An FBI memo of interview of Liscio dated 8/9/06 (23-24) (produced to Liscio only);
7. 15 CD-Roms containing audio and video files, as follows:

All Counsel
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- 11/10/04 recording of meeting
- 11/17/04 recording of telephone calls
- 11/30/04 recording of telephone calls
- 1/4/05 recording of telephone calls
- 1/24/05, 2/1/05, 2/4/05, and 2/11/05 recording of telephone calls
- 1/29/05 recording of meeting
- 1/31/05 recording of telephone call
- 2/2/05 recordings and video of meeting
- 2/8/05 recording and video of meeting
- 2/16/05 recording of telephone messages
- 2/16/05 recording of meeting

8. Four transcripts for meetings that took place on November 10, 2004, January 29, 2005, February 2, 2005 and February 8, 2005.

If you wish to inspect the originals of any of the items listed above, please let me know and I will make arrangements for you to do so.

The Government recognizes its obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny. We are unaware of any Brady material as of this date, and will provide timely disclosure if any such material comes to light. The Government will provide Giglio material, if any, at the time it provides prior statements of witnesses pursuant to Title 18, United States Code, Section 3500.

Disclosure By the Defendant

In light of your request for the foregoing discovery, the Government hereby requests reciprocal discovery under Fed. R. Crim. P. 16(b). Specifically, we request that you allow inspection and copying or photographing of: (1) any books, papers, documents, data, photographs, tangible objects, buildings or places, or copies or portions thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial; and (2) any results or reports of physical or mental

All Counsel

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examinations and of scientific tests or experiments made in connection with this case, or copies thereof, which are in the defendant's possession or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial or which were prepared by a witness whom the defendant intends to call at trial.

The Government also requests that the defense disclose prior statements of witnesses it will call to testify. See Fed. R. Crim. P. 26.2; United States v. Nobles, 422 U.S. 225 (1975). We request that such material be provided on the same basis upon which we agree to supply the defendant with 3500 material relating to Government witnesses.

We wish to remind you that Fed. R. Crim. P. 12.2 requires you to provide the Government with written notice if the defendant intends to rely on the defense of insanity at the time of the alleged crime or intends to introduce expert testimony relating to a mental disease, defect, or other condition bearing upon the issue of whether he had the mental state required for the offenses charged.

We also wish to remind you that Fed. R. Crim. P. 12.3(a) requires you to provide the Government with written notice if the defendant intends to claim a defense of actual or believed exercise of public authority on behalf of a law enforcement or Federal intelligence agency at the time of the alleged crime.

The Government requests a response to our Rule 12.2 and 12.3 demands within the time period allowed by the Court for the filing of motions.

Sentence Reduction for Acceptance of Responsibility

Please be advised that unless a disposition is reached on a timely basis prior to trial, this Office reserves the right to oppose both the two-point reduction under the Sentencing Guidelines for acceptance of responsibility, U.S.S.G. § 3E1.1(a), and the additional one-point reduction available for defendants who plead prior to the Government's initiation of trial preparations, U.S.S.G. § 3E1.1(b)(2), in the event your client has not entered a plea of guilty sufficiently in advance of trial.

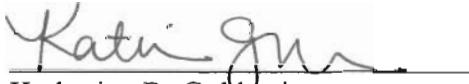
All Counsel
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Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:


Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641

Enclosures



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 19, 2007

By Federal Express

Angelo G. MacDonald, Esq.
Pappalardo & Pappalardo, LLP
700 White Plains Road, Suite 355
Scarsdale, NY 10583

Lawrence S. Goldman, Esq.
500 5th Avenue, 29th Floor
New York, NY 10110

Re: United States v. Liscio and Cordasco
06 Cr. 1089 (BSJ)

Dear Counsel:

Enclosed please find the following additional discovery materials in the above-captioned case:

1. Documents from Crystal Restoration (25-100);
2. Documents from Chubb Insurance Company (101-382);
3. Documents from Royal & SunAlliance Insurance Company (marked with internal bates numbers ACC000001 through 1998);¹ and
4. draft transcripts for meetings that took place on February 8, 2005 and February 16, 2005.²

¹ Please be advised that the following pages were intentionally omitted from the production: 358, 412-15, 417-18, 705-08, and 1117-19.

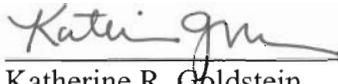
² We had previously provided a draft transcript for the February 8, 2005 meeting. Upon further review of the transcript, we realized that we had produced to you an incomplete version. The version produced with this letter is the complete transcript.

All Counsel
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Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: 
Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641

Enclosures



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 30, 2007

By Federal Express

Angelo G. MacDonald, Esq.
Pappalardo & Pappalardo, LLP
700 White Plains Road, Suite 355
Scarsdale, NY 10583

Lawrence S. Goldman, Esq.
500 5th Avenue, 29th Floor
New York, NY 10110

Re: United States v. Liscio and Cordasco
06 Cr. 1089 (BSJ)

Dear Counsel:

Enclosed please find the following additional discovery materials in the above-captioned case:

- documents from the Bank of New York (1999 to 3045).

Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: Katherine R. Goldstein
Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641

Enclosures



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
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New York, New York 10007*

August 22, 2007

By Federal Express

Angelo G. MacDonald, Esq.
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700 White Plains Road, Suite 355
Scarsdale, NY 10583

Lawrence S. Goldman, Esq.
500 5th Avenue, 29th Floor
New York, NY 10110

Lawrence DiGiansante, Esq.
984 Morris Park Avenue
Bronx, NY 10462

Re: United States v. Liscio, Cordasco, et al.
S1 06 Cr. 1089 (BSJ)

Dear Counsel:

Enclosed please find the following additional discovery materials in the above-captioned case:

- photographs and documents obtained from Tamucci & Melillo (383 to 568);
- documents obtained from Robyn Klein Interiors (569 to 685);
- telephone records for John Liscio (686 to 689);
- documents obtained from A.T. Proudian (690 to 695);
- documents and photographs obtained from Art Conservation Associates (696 to 730);
- documents obtained from IFI (731 to 750);

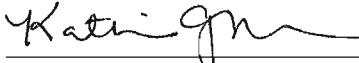
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- documents obtained from Joseph LaManna (751 to 752)¹; and
- documents obtained from Wachovia Bank regarding Robert DiDonato (754 to 1793).

Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: 

Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641

Enclosures

¹

Please note that document number 753 was intentionally omitted.



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
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New York, New York 10007*

August 27, 2007

By Federal Express

Angelo G. MacDonald, Esq.
Pappalardo & Pappalardo, LLP
700 White Plains Road, Suite 355
Scarsdale, NY 10583

Lawrence S. Goldman, Esq.
500 5th Avenue, 29th Floor
New York, NY 10110

Lawrence DiGiansante, Esq.
984 Morris Park Avenue
Bronx, NY 10462

Re: United States v. Liscio, Cordasco, et al.
S1 06 Cr. 1089 (BSJ)

Dear Counsel:

Enclosed please find the following additional discovery materials in the above-captioned case:

- a CD containing photographs of 9 Baltusrol Road, Purchase, New York, from Royal & Sun Alliance;
- documents obtained from Royal & Sun Alliance (ACC002212 to 2400);
- documents obtained from Encompass Insurance (1794 to 1918);
- documents obtained from Treiber Agency Group (1919 to 2385);
- a copy of the transcript from the June 25, 2004 civil deposition of Robert DiDonato (ACC002112 to 2134); and
- a CD containing a recorded conversation on February 1, 2005 of Robert DiDonato.

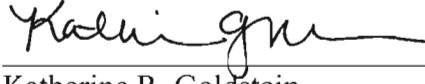
All Counsel
August 27, 2007
Page 2

Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:



Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641

Enclosures



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

September 25, 2007

By Federal Express

Angelo G. MacDonald, Esq.
Pappalardo & Pappalardo, LLP
700 White Plains Road, Suite 355
Scarsdale, NY 10583

Lawrence S. Goldman, Esq.
500 5th Avenue, 29th Floor
New York, NY 10110

Lawrence DiGiansante, Esq.
984 Morris Park Avenue
Bronx, NY 10462

Re: United States v. Liscio, Cordasco, et al.
S1 06 Cr. 1089 (BSJ)

Dear Counsel:

Enclosed please find the following additional discovery materials in the above-captioned case:

- 1 CD containing telephone records for telephone number (914) 447-8355;
- 2 CDs containing videotape of events on 2/2/05;
- 1 CD containing videotape of events on 2/2/05;
- 4 CDs containing videotape of events on 2/8/05;
- color photographs obtained from Royal & SunAlliance reflecting 28 Brae Burn, Purchase, New York following the January 25, 2003 flood (3046 to 3069);
- subscriber records for telephone number (914) 837-7339 (3070);
- an FBI memo of interview of Robert DiDonato dated June 27, 2005 (3071 to 3074);

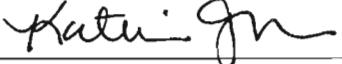
All Counsel
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- documents obtained from James Valentine (3075 to 3105);
- documents obtained from Reliable & Accurate Painting (3106 to 3116) and;
- documents obtained from Chubb Insurance Company (3117 to 5359).

Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: 
Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641

Enclosures



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
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New York, New York 10007*

December 5, 2007

By Facsimile

George L. Santangelo, Esq.
111 Broadway, Suite 1706
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(212) 363-6978 (f)

Edward McDonald, Esq.
Dechert LLP
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Angelo G. MacDonald, Esq.
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(914) 725-1700 (f)

Lawrence S. Goldman, Esq.
500 5th Avenue, 29th Floor
New York, NY 10110
(212) 997-7707 (f)

Re: United States v. DeVito, et al.
S3 06 Cr. 1089 (BSJ)

Dear Counsel:

Available for your copying at JAGG Management/RedRose Document Solutions, 52-08 Grand Avenue, Maspeth, New York, 11378, phone (718) 381-8560, fax (718) 381-8563, maintained under purchase order # **75100**, are the following materials:

- documents obtained from King Mortgage (bates stamped KM 1-1070);
- documents obtained from Chevy Chase Bank regarding 3801 Purchase Street, Purchase, NY; 29 Pinehurst Drive, Purchase, NY and 4350 Purchase Street, Purchase, NY (bates stamped CC 1-361 and 636-1208);¹

¹ Please be advised that bates numbers CC 362 to 635 were intentionally omitted.

All Counsel
 December 5, 2007
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- documents obtained from First National Bank of Arizona regarding 28 Brae Burn, Purchase, NY (bates stamped FN 1-353);
- documents obtained from GreenPoint Mortgage regarding 28 Scott Circle, Purchase, NY and 4350 Purchase Street, Purchase, NY (bates stamped GP 1-664);
- documents obtained from Washington Mutual Bank regarding 28 Brae Burn Drive, Purchase, NY, 3801 Purchase Street, Purchase, NY, 3747 Purchase Street, Purchase, NY and 9 Oak Valley, Purchase, NY (bates stamped WM 1-2319);²
- documents obtained from Wells Fargo regarding 29 Pinehurst Drive, Purchase, NY (bates stamped WF 1-136);
- documents obtained from Bank of America regarding Louis Cherico's bank accounts (bates stamped BAM 1-1941);
- documents obtained from Lehman Brothers Bank, FSB regarding 116 Lakeshore Drive, Eastchester, NY (bates stamped Aurora 1-329);
- documents obtained from Bank of New York regarding DeBello bank accounts (bates stamped BONY 1-898);³
- documents obtained from UBS Financial Services regarding the Johnson Family Revocable Trust (bates stamped UBS 1-300);
- documents obtained from Citibank regarding Andrea DiDonato accounts (bates stamped CITI 1-53);
- documents obtained from Daniel Forbes (bates stamped DF 67-5199)
- documents obtained from Marianne Berliner Drago (bates stamped MD 1-645);
- documents obtained from William King regarding 116 Lakeshore Drive, Eastchester, NY and 4 Ridgeland Manor, Rye, NY (bates stamped WK 1-

² Please be advised that bates numbers 398 and 399 were intentionally omitted.

³ Please be advised that bates number 471 was intentionally omitted.

All Counsel
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212);

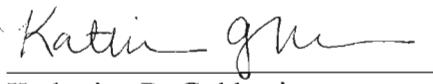
- documents obtained from Steven Seltzer, Esq. regarding 29 Pinehurst Drive, Purchase, NY (bates stamped SS 1-367);
- documents obtained from Larry Stopol, Esq. regarding 28 Scott Circle, Purchase, NY (bates stamped LS 1-284);
- documents obtained from Anthony Bucciero regarding various properties (bates stamped AB 1-257);
- documents obtained from John Saluto regarding various properties (bates stamped JS 1-553); and
- documents obtained from Lauren Rosen regarding 4350 Purchase Street, Purchase, NY (bates stamped LR 1-61).

Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:



Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641

Enclosures



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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New York, New York 10007*

December 31, 2007

By Facsimile

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700 White Plains Road, Suite 355
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Re: United States v. DeVito, et al.
S3 06 Cr. 1089 (BSJ)

Dear Counsel:

Available for your copying at JAGG Management/RedRose Document Solutions, 52-08 Grand Avenue, Maspeth, New York, 11378, phone (718) 381-8560, fax (718) 381-8563, maintained under purchase order # **75108**, are the following materials:

- a consensual recording with Dominick DeVito on November 5, 2005;
- a transcript of a court proceeding involving Joseph LaManna and Robert DiDonato dated July 19, 2005 from the Town of Harrison Town Court;
- documents obtained from Sotheby's regarding Robert DiDonato (bates stamped Sotheby 79 to 472);
- documents obtained from GreenPoint Mortgage (bates stamped GP 665-

All Counsel
December 31, 2007
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967);

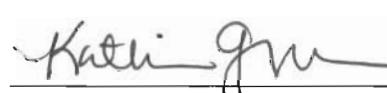
- documents obtained from JPMorgan Bank relating to Joseph LaManna's bank accounts (bates stamped JP Morgan 1 to 328);
- documents obtained from HSBC (bates stamped HSBC 1 to 46);
- documents obtained from Marianne Berliner (bates stamped MD 646 to 649);
- documents obtained from Bank of New York (bates stamped BONY 899 to 1034);
- documents obtained from Citibank regarding Andrea DiDonato (bates stamped CITI 154 to 163);
- documents obtained from Anthony Bucciero (bates stamped AB 258 to 323); and
- documents obtained from Howard Ripps (bates stamped HR 1 to 30).

Please contact me at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:



Katherine R. Goldstein
Assistant United States Attorney
(212) 637-2641